

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

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|---------------------------------|---|--------------------------|
| TNT AMUSEMENTS, INC., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 4:23-cv-330 JAR |
| |) | |
| TORCH ELECTRONICS, LLC, et al., |) | |
| |) | |
| Defendants. |) | |

JOINT MOTION TO EXTEND CERTAIN PRETRIAL DEADLINES

TNT Amusements, Inc. (“Plaintiff” or “TNT”) and Steven Miltenberger, Sondra Miltenberger, and Torch Electronics, LLC (together, “Defendants”) (Plaintiff and Defendants, together, the “Parties”), by and through their respective counsel of record, hereby move the Court to extend the certain pretrial deadlines in the parties’ court-approved Joint Scheduling Plan (Doc. #178) by three (3) days in order to permit the parties time to further confer in the hopes of reaching agreement on certain stipulations that they anticipate will accelerate the orderly adjudication of this case. In support of their motion the parties state as follows:

1. On September 27, 2023, this Court entered a Case Management Order regarding discovery, dispositive motions, and other pretrial deadlines. *See* Order (Doc. #45). The Case Management Order required the Parties to file any stipulations and exchange witness lists, exhibits lists, and deposition designations at least 20 days before trial (the “Initial Pretrial Deadline”). *See id.* at 4.

2. On March 19, 2023, the Court entered an order continuing the trial date until July 22, 2024. *See* Order (Doc. #175). The Court also ordered the Parties to submit a joint scheduling plan based on the new trial date. The Parties submitted their Joint Scheduling Plan on April 1,

2024, which the Court approved the same day. *See* Joint Scheduling Plan (Doc. #177); Order (Doc. #178).

3. Under the Joint Scheduling Plan, the Parties agreed that “all trial-related deadlines reflected in the Court’s Case Management Order (Doc. #45) should be amended to be based the new agreed trial date” of July 22, 2024. *See* Joint Scheduling Plan (Doc. #177) at 2. As a result, the Parties’ deadline to submit stipulations and to exchange witness lists, exhibit lists, and deposition designations is today, July 2, 2024.

4. The Parties have been engaged on the topic of stipulations, and there is a draft in the works. However, due in part to unanticipated international travel delays impacting counsel for Defendants, the Parties have been unable to reach a final agreement with respect to such stipulations.

5. The Parties mutually believe that extending the Initial Pretrial Deadline until this Friday, July 5, 2024, will allow the Parties the opportunity to reach stipulations that will accelerate the orderly adjudication of this case.

6. In the absence of such an extension, the Parties anticipate that they will not be able to reach an agreement on the proposed stipulations before the end of the day.

7. The Parties do not believe that any further extensions of the remaining pretrial deadlines will be required.

8. The Parties do not seek this extension for the purposes of delay but instead to promote the orderly adjudication of this case.

WHEREFORE the Parties respectfully requests that the Court extend their deadline to file stipulations and to exchange witness lists, exhibit lists, and deposition designations until this

Friday, July 5, 2024, and that it grant such other and further relief as the Court deems just and proper.

Dated: July 2, 2024

Respectfully submitted,

BRYAN CAVE LEIGHTON
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/s/ Richard E. Finneran

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing was served via the Court's electronic filing system on all counsel of record.

/s/ Richard E. Finneran